

troops to that part of the world. Why not call upon the nations that have influence in that part of the world? That is in their sphere of influence. Where is France? Where is England? France wants to be a superpower. They are setting off tests in the middle of the ocean. Let them bring in their troops and do something rather than talk. It is in their sphere of influence.

The United States, I say, should, at the most, supply air power and have the troops withdrawn. I do not think we should commit troops to that part of the world, even though my colleague, the majority leader from Kansas, has said that there should be U.S. troops supplied to help withdraw the U.N. troops. I do not think I can go that far, Mr. President.

What has gone on there is something that should have the world community saying, "At least let's get the U.N. troops out of there, they are only serving the Serbian forces." I say let us have France and England and the European nations join together and let them bring troops into that area. We have done Somalia; we have done Haiti. Have we not done enough, Mr. President? We have done the gulf war. It is time for the United States to step back and let other countries do their share for a change.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SPECTER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SPECTER. I ask unanimous consent that I be allowed to speak as in morning business for 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEVELOPMENTS IN THE RUBY RIDGE INCIDENT

Mr. SPECTER. I thank the Chair. Mr. President, I have just received a release from the Federal Bureau of Investigation advising that the FBI Director is transferring Mr. Larry A. Potts from the position of Deputy Director to a position within the FBI's training division.

I have just had an opportunity to discuss this briefly with FBI Director Louis Freeh. I think that this is a very wise move in light of all of the developments on the Ruby Ridge incident, especially the most recent disclosure of this week that documents were destroyed by one of the FBI agents who was involved in the Ruby Ridge incident.

There is a very substantial question, Mr. President, about what was done at Ruby Ridge with respect to the use of deadly force and also with respect to the rules of engagement with Special Agent Glenn, the special agent in charge at the present time of the Salt

Lake City office having been at the scene, saying that there had been changes in the rules of engagement, and Mr. Potts having said that there was no change in the rules of engagement and no change on the use of deadly force.

That is a matter of considerable importance. Also, disclosed in the Washington Post yesterday was the task force report of the Department of Justice, indicating that there was excessive force used within the definition of constitutional parameters, and also with the task force exposure as printed in the Washington Post yesterday about the recommendation for consideration of prosecutions, which was rejected by the Department of Justice.

I have raised the issue of the promotion of Mr. Potts with Attorney General Janet Reno when she testified recently at general oversight hearings before the Judiciary Committee, and had raised the issue as to why Mr. Potts was promoted in light of the outstanding questions about Ruby Ridge. The Attorney General was further questioned about the possibility of a criminal prosecution by the prosecuting attorney of Boundary County, ID, of an official whom I talked to had made comments on the Senate floor some time ago. Attorney General Reno said she would not speculate about what local law enforcement would do and was not going to get involved in any way in hindering local law enforcement which was hardly responsive to my question as to why there was a promotion, in light of these issues which were very much in the public domain.

Mr. President, it is my hope that there will yet be oversight hearings by the Senate. I made an extensive statement about this yesterday, calling for those hearings and, in fact, had pressed the issue in a resolution calling for a Senate vote in May, understanding full well that it was highly unlikely to be accepted, considering the prerogatives of chairmen under our Senate procedures. I think it continues to be a matter of the utmost importance. We have had an enormous growth of the militia, as I commented on more extensively yesterday. I can understand and sympathize with people in the United States who are unhappy with what is going on in Government because of the need to hold people accountable at the highest levels.

I think with the reassignment of Mr. Potts today, it has extra emphasis on the need for hearings. Mr. Potts, for one, is entitled to his day in court or his time to have a hearing to see precisely what it was that he did. There is a cloud hanging over Mr. Potts at this time. There is a cloud hanging over the FBI and a cloud hanging over the Department of Justice, as long as these questions remain unanswered. It is the responsibility of the Congress of the United States to have oversight hearings. We are the proper institution to undertake those hearings, and I renew

my request that these hearings be held at the earliest possible time.

I note that the Presiding Officer, the senior Senator from Idaho nodding. I will not make any interpretation from his nods of the head, but I do think this is a matter of great importance. And the reassignment of Mr. Potts today underscores the necessity for prompt hearings on this important matter.

I thank the Chair and yield the floor.

COMPREHENSIVE REGULATORY REFORM ACT

The Senate continued with the consideration of the bill.

Mr. CHAFEE addressed the Chair.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. CHAFEE. Mr. President, I would like to ask the managers of the bill a question. I would like to make about a 5-minute statement. If you are in the midst of some procedure here, I am reluctant to interrupt it.

Mr. LEVIN. We are very close, we believe, to working something out on the Hutchison amendment. That is not quite ready. So I have no objection, and I do not believe Senator HATCH would either.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

Mr. CHAFEE. Mr. President, during consideration of this regulatory reform bill, we have heard a litany of horror stories about silly regulations, costly regulations, and useless regulations. Many of these stories have focused on rules and laws that are designed to protect the environment.

It must be remembered, however, that tales of environmental excess do not present the complete story.

I have spoken many times about the tremendous progress we have made in cleaning up our environment over the past 25 years. I think the last 25 years, starting in about 1970, 1972, those were the glory years of environmental legislation. As a result of that legislation, our Nation is far cleaner in its waters and in the air, and far ahead in the preservation of endangered species than we otherwise would have been. In just about every instance, that progress can be attributed directly to environmental rules and regulations and laws that were passed. Surely, there are examples of overly rigid applications of specific rules. But there is no doubt that the world is a better place today precisely because we have stepped in and forced industry to clean up its act.

In today's Washington Post, on page A3, there is a good news, pro-environmental success story. It is a story about environmental "regulation"—that word that everybody seems to rebel against around here. The headline reads, "A Threat to Ozone Layer Diminishes."

Mr. President, I ask unanimous consent that the story from the Washington Post be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A THREAT TO OZONE LAYER DIMINISHES,
SCIENTISTS SAY

(By Boyce Rensberger)

One of the chief threats to Earth's protective ozone layer has begun to diminish, an international group of scientists has found. According to their report in today's issue of the journal *Science*, the concentration of methyl chloroform in the atmosphere peaked in 1990 and has been falling ever since.

"This represents the first actual decrease in atmospheric concentration recorded for any halocarbon [the class of chemicals that attack ozone] restricted under the Montreal Protocol on Substances that Deplete the Ozone Layer," the researchers wrote.

In a related article in the same issue, other researchers confirmed a finding, first reported two years ago, that CFCs have almost stopped increasing in the atmosphere. These substances pose an even bigger threat to the ozone layer and are also regulated by the Montreal protocol. The growth rates of CFC-11 and CFC-12 "are now close to zero," the scientists said.

If trends continue, the researchers said, CFC (chlorofluorocarbon) levels in the atmosphere are expected to peak next year or in 1997 and then begin to decline slowly. Previous estimates of CFC levels projected a peaking around the year 2000.

Scientists also said a fourth ozone depleting substance regulated under the Montreal protocol, carbon tetrachloride, appears to have begun declining but those data have not yet been published.

The Montreal protocol is a 1987 international treaty to phase out production of all major ozone depleting chemicals. It was amended in 1990 and 1992 to speed up the schedule. Although the ban on CFCs was not to take effect until 1996, most manufacturers cut production of the chemicals well in advance of the deadlines.

"This is good news for the atmosphere," said James W. Elkins, of the National Oceanic and Atmospheric Administration's Climate Monitoring and Diagnostics Laboratory in Boulder, Colo. "We're starting to see the first real benefits of regulation."

"The Montreal protocol works," said an author of one of the *Science* papers, A.R. Ravishankara of NOAA's Aeronomy Laboratory.

Still, both atmospheric scientists said, the decline in overall threat to the ozone will be slow and is not expected to eliminate recurrences of the Antarctic ozone hole until perhaps 2050. Throughout this period, however, the ozone layer is expected to thicken because ozone constantly is being created by the action of sunlight on ordinary oxygen and, within a year or two, the creation rate will exceed the destruction rate. The ozone layer helps screen out much of the sun's ultraviolet radiation, which causes DNA damage leading to increased rates of skin cancer.

A major concern about the Montreal protocol is whether Russia, China and India will also stop production of CFCs when their opportunity to be exempted expires in a few years. Substitutes for CFCs are more expensive and require costly changes in refrigerating equipment.

The decline in methyl chloroform (also called trichloroethane) was reported by Ronald G. Prinn, of the Massachusetts Institute of Technology, and eight colleagues at various institutions in this country, Australia and Britain.

Their report also contains a major correction to the key method used by atmospheric chemists to estimate the ability of chemicals to deplete ozone or to cause global

warming. As a result of the correction it is now clear that many synthetic gases are nearly 20 percent less capable of doing harm than was estimated previously. The immediate practical effect of the correction is to lower the ozone depleting potential, or ODP, of some chemicals below the maximum tolerated under the Clean Air Act.

The law says that gases cannot be released to the atmosphere unless their ODP is less than 20 percent that of CFC-11. Because of the correction, new calculations are likely to reveal that several synthetic gases once thought banned are now acceptable.

The correction grew out of new studies by the Prinn group of the amount of hydroxyl radical, or OH, in the air. Prinn had thought the concentration was low and slowly rising. It now turns out that the OH level is higher than thought and has not risen at least since 1978.

"This is good news," Elkins said, "because OH is a natural cleanser in the atmosphere. It removes various ozone depleting substances [including methyl chloroform] and some 'greenhouse' gases."

Unfortunately, OH does not help break down carbon dioxide, one of the chief greenhouse gases, or CFCs, the major ozone depleters.

Mr. CHAFEE. Mr. President, in 1987, under the leadership of our President—who was President? Ronald Reagan was President in 1987—the Environmental Protection Agency convinced the rest of the world to sign onto a treaty known as the Montreal Protocol. That treaty called for a reduction in the production and use of chemicals that scientist predicted and stated were destroying the stratospheric ozone layer.

The stratospheric ozone layer is Earth's shield against harmful ultraviolet radiation. What is the harm with that? Why do we care about ultraviolet radiation? Well, ultraviolet radiation comes in through these holes made in the ozone layer as a result of chemicals such as chlorofluorocarbons. This was first discovered in the mid-1980's, over Antarctica. Scientists told us that there was a class of ozone-destroying chemicals, such as methyl chloroform and CFC's, as I previously mentioned. As a result of the hole in the ozone layer, the ultraviolet radiation came through without being screened, and that is the principal cause of skin cancers in our society today.

In 1987, the Montreal Protocol called for a 50-percent reduction in the production and use of these chemicals by the signatories to the protocol.

In 1990, under the leadership of another Republican President, President Bush, the protocol was amended, and Congress passed the Clean Air Act, and part of that required a complete elimination of these chemicals.

A number of groups opposed those regulatory efforts. They said it was unnecessary. They said it could not be done, that it would cost too much.

What has been the result? As reported in today's newspaper, one of the chief threats to Earth's protective ozone layer has begun to diminish. The concentration of CFC's in the atmosphere is just about at its peak. In other words, when we stop sending up the CFC's, it does not stop just like that,

because those that were released years before are winding their way up into the stratosphere. But because of the efforts we took in the mid-1980's, those that we released at the time have just about completed their journey, and we have cut off the supply, and the number of CFC's going into the stratosphere is beginning to diminish. The concentration is just about at its peak and should start to diminish shortly. The concentration of methyl chloroform peaked in 1990 and has been falling ever since.

I have here a quote by James Elkins of the National Oceanic and Atmospheric Administration's Climate Monitoring and Diagnostics Laboratory in Boulder, CO. "This is good news for the atmosphere. * * * We're starting to see the first real benefits of regulation."

Mr. President, the point of highlighting this good news story is to show that sometimes we get it right. All environmental laws and regulations are not the demons some would have us believe. I am certain that the good news of today would not have been possible if the pending bill had been in effect at the time of the Montreal Protocol in 1987 and the Clean Air Act Amendments in 1990.

If this law that we are debating today had been in effect at that time, the first thing we would have spent years doing would be a risk assessment and a cost-benefit analysis. When all of that was completed, because of the judicial review provisions in this statute before the Senate, this act would be on appeal after appeal after appeal. What we accomplished in 1987 we never would have done.

Mr. President, I wish to draw people's attention to, first, that regulations do produce some good effect; second, to point out some of the problems that are incipient in the act before the Senate.

AMENDMENT NO. 1539, AS MODIFIED

Mrs. HUTCHISON. Mr. President, I ask unanimous consent to modify my amendment No. 1539. I send the modification to the desk.

The PRESIDING OFFICER. The Senator has that right. Is there objection? Without objection, it is so ordered.

The amendment (No. 1539), as modified, is as follows:

Insert at the appropriate place:

SECTION 709. AGENCY INTERPRETATIONS IN CIVIL AND CRIMINAL ACTIONS.

"(a) No civil or criminal penalty shall be imposed by a court, and no civil administrative penalty shall be imposed by an agency, for the violation of a rule—

"(1) if the court or agency, as appropriate, finds that the rule, and other information reasonably available to the defendant, failed to give the defendant fair warning of the conduct that the rule prohibits or requires; or

"(2) if the court or agency, as appropriate, finds that the defendant—

"(A) reasonably in good faith determined, based upon the language of the rule published in the Federal Register, and other information reasonably available to the defendant, that the defendant was in compliance with, exempt from, or otherwise not subject to, the requirements of the rule; or

"(B) engaged in the conduct alleged to violate the rule in reasonable reliance upon a written statement issued by an appropriate agency official, or by an appropriate official of a State authority to which had been delegated responsibility for implementing or ensuring compliance with the rule, after the disclosure of the material stating that the facts, action compliance with, or that the defendant was exempt from, or otherwise not subject to, the requirements of the rule.

In making its determination of facts under this subsection, the court or agency shall consider all relevant factors, including, if appropriate: that the defendant sought the advice in good faith; and that he acted in accord with the advice he was given.

"(b) In an action brought to impose a civil or criminal penalty for the violation of a rule, the court, or an agency, as appropriate, shall not give deference for the propose of that action only to any interpretation of such rule relied on by an agency in the action that had not been timely published in the Federal Register, and was to otherwise personally available to the defendant or communicated to the defendant by the method described in paragraph (a)(2) in a timely manner by the agency, or by a state official described in paragraph (a)(2)(B), prior to the commencement of the alleged violation.

"(c) Except as provided in subsection (d), no civil or criminal penalty shall be imposed by a court and no civil administrative penalty shall be imposed by an agency based upon—

"(1) an interpretation of a statute, rule, guidance, agency statement of policy, or license requirement or condition, or

"(2) a written determination of fact made by an appropriate agency official, or state official as described in paragraph (a)(2)(B), after disclosure of the material facts at the time and appropriate review,

if such interpretation or determination is materially different from a prior interpretation or determination made by the agency or the state official described in (a)(2)(B), and if such person, having taken into account all information that was reasonably available at the time of the original interpretation or determination, reasonably relied in good faith upon the prior interpretation or determination.

"(d) Nothing in this section shall be construed to preclude an agency:

"(1) from revising a rule or changing its interpretation of a rule in accordance with sections 552 and 553 of this title, and, subject to the provisions of this section, prospectively enforcing the requirements of such rule as revised or reinterpreted and imposing or seeking a civil or criminal penalty for any subsequent violation of such rule as revised or reinterpreted.

"(2) from making a new determination of fact, and based upon such determination, prospectively applying a particular legal requirement.

"(e) This section shall apply to any action for which a final unappealable judicial order has not been issued prior to the effective date.

Mr. HATCH. Mr. President, are we prepared to move ahead on this?

Mrs. HUTCHISON. I believe we need a couple of minutes of debate, with perhaps 3 minutes to Senator BIDEN and the same for me, if that is acceptable to everyone.

Mr. LEVIN. One minute.

Mr. HATCH. Mr. President, I ask unanimous consent that we have 6 minutes equally divided between the distinguished Senator from Texas and the distinguished Senator from Michigan.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HATCH. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. LEVIN. Mr. President, we are willing to have this adopted on a voice vote. If there is a request for a rollcall, as apparently there was, of course, that is the right of folks who want a rollcall.

We are prepared to accept this on a voice vote.

Mr. BIDEN. Will the Senator yield a minute?

Mr. LEVIN. I am happy to yield to the Senator.

Mr. BIDEN. I thank the Senator from Texas for her willingness to make the accommodations she has. Because she has operated under such good faith, I will vote for this amendment if there is a vote. I want to make it clear it does not satisfy all of my concerns and objections, nor, I suspect, do the changes satisfy her.

There is an effective date in here that would make this, in effect, retroactive. I think that is bad public policy. I think it is also inconsistent with having a piece of legislation that will take effect as a whole upon passage but one section of it that looks back and is retroactive.

I also am still not satisfied, nor, I suspect, is the Senator from Texas satisfied, with the section allowing, in effect, an individual to be able to say, "I acted in good faith," and not be subject to penalties or not be subject to civil or criminal penalties.

There are a few other things I still have problems with. If we ever get to the point where, in the substitute that the Senator from Ohio is going to offer to this legislation as a whole, I would attempt to put in the language more to the liking of the Senator from Delaware, were that ever to prevail.

Having said that, I sincerely thank the Senator from Texas. This is, from my perspective, a much improved version and meets the vast majority of my concerns that I had relative to the amendment. I yield the floor.

Mr. JOHNSTON. Will the Senator yield?

Mr. LEVIN. I am happy to yield to the Senator.

Mr. JOHNSTON. I thank the Senator from Texas for her cooperation in working out on my behest a number of amendments.

I believe this is a well-drawn amendment now. It speaks to a much needed principle of the law, and that is that Federal officials ought to tell the truth. And we ought to be able to rely on them when they do. This amendment carries out that policy. I enthusiastically support it.

Mr. LEVIN. Mr. President, I do not know if I have any time remaining.

The PRESIDING OFFICER. The Senator has 25 seconds.

Mr. LEVIN. That is long enough.

Mr. President, a number of the problems which I saw in this amendment have been corrected. There still remains a problem with it, but I intend to vote for this amendment, and I want to thank the Senator from Texas for introducing it. It is an important point she is making, and the changes she has made have significantly improved the amendment.

Mrs. HUTCHISON. Mr. President, I appreciate very much the cooperation I have had with the Senator from Michigan, the Senator from Delaware, the Senator from Louisiana, and the Senator from Alabama, all of whom on the other side worked very hard, I think, to improve this amendment.

The purpose of my amendment is to make sure there is fair play in the system, that our administrative regulatory agencies give notice to those who are going to rely on it so that they can comply with the regulations. That is the purpose.

I think, frankly, it is a better amendment now. I think there will be fair play on both sides.

I think it is very important that we keep the principle of fairness in this regulatory reform bill. I think we have achieved that with this amendment.

Mr. President, I ask unanimous consent that Senator MURKOWSKI be added as an original cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. HUTCHISON. Last, I want to thank the Senator from Utah.

I want to say I have never seen a more patient manager of a bill than the Senator from Utah. This has been a very tough amendment. We have spent most of the day on it. He has been very accommodating to all of the differing views on both side, and has listened patiently. For that reason, I think we have improved this bill.

In the future, there is going to be—I hope—a good working relationship, rather than an adversarial relationship, between the regulators and the regulated. That is the purpose of this bill. I think we have achieved it.

I ask for the support of all of our colleagues for this improved amendment. I look forward to a strong vote. I yield the floor.

Mr. HATCH. I want to commend the distinguished Senator from Texas. It corrects some real injustices. She has worked long and hard to accommodate everybody, and I hope we will all vote for this amendment.

Mrs. HUTCHISON. I yield back the remaining time, and I ask for the yeas and nays.

Mr. JOHNSTON. Mr. President, I ask the Senator, will this be the last vote today?

Mr. HATCH. I honestly do not know.

Mr. JOHNSTON. The Senator from Michigan had an amendment ready to go. I urged him not to bring it up at this time because I hope we can work it out over the weekend.

Mr. HATCH. I know the distinguished leaders of both sides prefer to press onward, but I am not sure what their decision will be. I think we need to have this vote and go from there.

Mr. LEVIN. Mr. President, we will also be offering the Glenn-Chafee substitute this afternoon.

Mr. JOHNSTON. That would be voted on Monday.

Mr. LEVIN. That will require some significant debate both Monday and perhaps today.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The yeas and nays have been ordered. The clerk will call the roll.

The bill clerk called the roll.

Mr. LOTT. I announce that the Senator from Missouri [Mr. BOND], the Senator from Montana [Mr. BURNS], the Senator from Colorado [Mr. CAMPBELL], the Senator from Maine [Mr. COHEN], the Senator from Texas [Mr. GRAMM], the Senator from Indiana [Mr. LUGAR], the Senator from Arizona [Mr. MCCAIN], the Senator from Alabama [Mr. SHELBY], and the Senator from Maine [Ms. SNOWE] are necessarily absent.

Mr. FORD. I announce that the Senator from New Mexico [Mr. BINGAMAN], the Senator from California [Mrs. BOXER], the Senator from New Jersey [Mr. BRADLEY], the Senator from Arkansas [Mr. BUMPERS], the Senator from Ohio [Mr. GLENN], the Senator from Iowa [Mr. HARKIN], the Senator from South Carolina [Mr. HOLLINGS], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Maryland [Ms. MIKULSKI], the Senator from Arkansas [Mr. PRYOR], and the Senator from Maryland [Mr. SARBANES] are absent on official business.

The PRESIDING OFFICER (Mr. JEFFORDS). Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 80, nays 0, as follows:

[Rollcall Vote No. 308 Leg.]

YEAS—80

Abraham	Ford	Mack
Akaka	Frist	McConnell
Ashcroft	Gorton	Moseley-Braun
Baucus	Graham	Moynihan
Bennett	Grams	Murkowski
Biden	Grassley	Murray
Breaux	Gregg	Nickles
Brown	Hatch	Nunn
Bryan	Hatfield	Packwood
Byrd	Hefflin	Pell
Chafee	Helms	Pressler
Coats	Hutchison	Reid
Cochran	Inhofe	Robb
Conrad	Inouye	Rockefeller
Coverdell	Jeffords	Roth
Craig	Johnston	Santorum
D'Amato	Kassebaum	Simon
Daschle	Kempthorne	Simpson
DeWine	Kerrey	Smith
Dodd	Kerry	Specter
Dole	Kohl	Stevens
Domenici	Kyl	Thomas
Dorgan	Lautenberg	Thompson
Exon	Leahy	Thurmond
Faircloth	Levin	Warner
Feingold	Lieberman	Wellstone
Feinstein	Lott	

NOT VOTING—20

Bingaman	Cohen	McCain
Bond	Glenn	Mikulski
Boxer	Gramm	Pryor
Bradley	Harkin	Sarbanes
Bumpers	Hollings	Shelby
Burns	Kennedy	Snowe
Campbell	Lugar	

So, the amendment (No. 1539), as modified, was agreed to.

Mr. DOLE. Mr. President, I move to reconsider the vote.

Mr. HATCH. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

POSITION ON VOTE

• Mr. BURNS. Mr. President, I was necessarily absent during the vote on the Hutchison modified amendment to S. 343 today. Had I been present, I would have voted for the amendment. The amendment, which stated that civil and criminal penalties shall not apply if the rule failed to give fair warning of required conduct, clarifies S. 343 and, I believe, is a valuable addition to the bill.

I would like to note that my vote would not have affected the outcome of the vote, which was adopted by the Senate, 80-0.

The PRESIDING OFFICER. The majority leader is recognized.

ORDER OF PROCEDURE

Mr. DOLE. Mr. President, let me indicate there will be no more votes today. I understand that the major amendment on the other side, the so-called Glenn-Chafee, et al, amendment, will be laid down and that will be debated this afternoon, and then on Monday I understand the distinguished Democratic leader would like to change the time of the cloture vote from 5 to 6 p.m.

Mr. DASCHLE. If the leader will yield, that would accommodate a couple of our Members who will be back and ready to vote at 6 o'clock.

Mr. DOLE. I ask unanimous consent that the cloture vote on Monday occur at 6 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DASCHLE. If the leader will yield, does the leader contemplate votes prior to that?

Mr. DOLE. It is my hope—and we were discussing it earlier—there may be solid debate Monday on the major amendment. If that is the case, then there would not be any votes. If there should be a lull, then we would like to set the amendment aside and take up other amendments. So there could be rollcall votes. I think it is probably less than a 50-50 chance. I would not want anybody to leave here thinking there will not be any votes. There could be a vote. But I think that will be determined by debate on this major amendment, which I assume will probably be extended and continuous.

Mr. DASCHLE. If the leader will yield, that would be my understanding

as well. I think there are a number of people who have expressed an interest in speaking on the substitute, but I would say, in fair warning to all of our colleagues, if there is a lull, we are prepared on this side to bring up another amendment, set the substitute aside and have a good debate on the amendment.

Mr. DOLE. I think another suggestion might be that if there were any votes—there probably would not be any more than one or two—they could immediately follow the cloture vote. So let us do it that way, so that we could say the first vote will occur at 6 p.m. and if any other votes are ordered during the afternoon, they will occur immediately following the vote on cloture. The vote on the substitute, I am not certain whether that will come on Monday evening or Tuesday. There is no indication of that yet.

Mr. DASCHLE. At this point, I am not sure we are prepared to come to any agreement on a time certain, but we will have a good debate on the substitute on Monday, and I assume sometime either Monday night or Tuesday we will be prepared for a vote on that, too.

Mr. DOLE. It is still our hope to complete action on this bill on Tuesday. I know there are some amendments on each side. I do not know how many, but I think maybe three or four on this side, maybe three, four, five on the other side.

So I advise Members that it will probably be late on Monday evening and early on Tuesday so that we can complete action on this bill, so we can move on to the next matter on the agenda, so that we can start our August recess sometime in August.

Mr. CRAIG addressed the Chair.

The PRESIDING OFFICER. The Senator from Idaho is recognized.

Mr. CRAIG. Mr. President, I ask unanimous consent to speak in morning business for no more than 2 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

REASSIGNMENT OF DEPUTY FBI DIRECTOR POTTS

Mr. CRAIG. Mr. President, about an hour ago, I had a phone conversation with the Director of the FBI, Louis Freeh. At that time, he told me that he permanently reassigned Larry Potts, his immediate assistant, Deputy Director, to a new assignment in the FBI pending an investigation that is now underway in the Justice Department as it relates to the performance of certain FBI personnel with the Ruby Ridge incident in Idaho.

For over 2 years, I have pursued open, factual airing of the events of that incident. At the time Mr. Freeh had recommended Potts for his appointment, I asked that be deferred and the man not be considered until such time as the cloud over the FBI was cleared up. It appears we now may be moving in the direction of full public disclosure of